

**THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	2:22-cr-236
	:	JUDGE MICHAEL H. WATSON
v.	:	
	:	
SHIHAB AHMED SHIHAB SHIHAB,	:	
a/k/a Shihab Ahmed Shihab,	:	
a/k/a Shihab Ahmed,	:	
a/k/a Abu Ahmed,	:	
	:	
Defendant.	:	

PRELIMINARY ORDER OF FORFEITURE

On December 15, 2022, an Information (Doc. 31) was filed in this case charging Defendant Shihab Ahmed Shihab Shihab with Attempting to Provide Material Support to Terrorists, in violation of 18 U.S.C. § 2339A(a) (Count 1).

In accordance with Rule 32.2 of the Federal Rules of Criminal Procedure, the Information also contained a Forfeiture Allegation notifying Defendant Shihab that upon conviction of the offense alleged in Count 1 of the Information, he shall forfeit to the United States, in accordance with 18 U.S.C. § 981(a)(1)(G) and 28 U.S.C. § 2461(c), all assets acquired or maintained with the intent and for the purpose of supporting, planning, conducting, or concealing any act in violation of 18 U.S.C. § 2339A, and all assets derived from, involved in, or used or intended to be used to commit any such violation, including, but not limited to the following property seized during the investigation in this case (hereinafter collectively “the subject property”):

- a. A Samsung Duos cellular telephone bearing no Serial Number or other identifying number, including its contents;

- b. A Samsung Galaxy S7 cellular telephone, IMEI 359470073230353, including its contents; and
- c. A black Samsung Model SM-S115DL(GP) cellular telephone, IMEI 354229117677960, including its contents.

On December 15, 2022, a Plea Agreement (Doc. 32) was also filed in this case in which Defendant Shihab agreed to plead guilty to Count 1 of the Information. As part of the agreement, Defendant Shihab also agreed to voluntarily surrender for forfeiture to the United States all of his right, title, and interest in all property seized during the investigation in this case, including, but not limited to the subject property identified in the Forfeiture Allegation of the Information. He acknowledged that the subject property was acquired or maintained with the intent and for the purpose of supporting, planning, conducting, or concealing the violation of 18 U.S.C. § 2339A to which he has agreed to plead guilty, and/or was involved in, or used or intended to be used to commit such violation, and is therefore subject to forfeiture to the United States under 18 U.S.C. § 981(a)(1)(G) and 28 U.S.C. § 2461(c). Defendant Shihab also agreed to the entry of any orders necessary to complete the forfeiture and/or destruction of the subject property.

On March 8, 2023, Defendant Shihab, having consented to enter a guilty plea before a magistrate judge, appeared before Magistrate Judge Norah McCann King and entered a Plea of Guilty to Count 1 of the Information. (*See Courtroom Minutes*, Doc 36.) On the same date, a Report and Recommendation (Doc. 38) was filed in this case in which Magistrate Judge King found that Defendant Shihab knowingly and voluntarily entered his plea of guilty to Count 1 of the Information because he is in fact guilty of the offense alleged therein.

On April 5, 2023, this Court entered an Order (Doc. 41) accepting Defendant Shihab Ahmed Shihab Shihab's plea of guilty to Count 1 of the Information and adopting the Report and Recommendation of Magistrate Judge King.

Therefore, based upon the record of this case and the agreement of the parties, the Court finds that the requisite nexus exists between the subject property identified herein and Count 1 of the Information, that this property is forfeitable under 18 U.S.C. § 981(a)(1)(G) and 28 U.S.C. § 2461(c), and that the United States is now entitled to possession of the subject property.

Accordingly, it is hereby **ORDERED, ADJUDGED, AND DECREED:**

1. That Defendant Shihab Ahmed Shihab Shihab shall forfeit to the United States the subject property, that is:

- a. A Samsung Duos cellular telephone bearing no Serial Number or other identifying number, including its contents;
- b. A Samsung Galaxy S7 cellular telephone, IMEI 359470073230353, including its contents; and
- c. A black Samsung Model SM-S115DL(GP) cellular telephone, IMEI 354229117677960, including its contents.

2. That the designated agent with the United States Marshals Service shall immediately seize the subject property and hold same in its secure custody and control.

3. That the United States is authorized to conduct any discovery proper in identifying, locating or disposing of the subject property in accordance with Fed. R. Crim. P. 32.2(b)(3).

4. That, in accordance with 21 U.S.C. § 853(n), as incorporated by 28 U.S.C. § 2461(c), and Fed. R. Crim. P. 32.2(b)(6), the United States shall publish notice of this Order and of its intent to dispose of the subject property in such manner as the Attorney General may direct. The United States shall also provide written notice to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture in the ancillary proceeding.


5. That pursuant to Fed. R. Crim. P. 32.2(b)(4), this Preliminary Order of Forfeiture shall become final as to Defendant Shihab Ahmed Shihab Shihab at the time of sentencing and shall be made part of the sentence and included in the judgment. If no third party files a timely

claim, the United States may, as provided by Fed. R. Crim. P. 32.2(c)(2), notify the Court that this Order shall become the Final Order of Forfeiture.

6. That following the Court's disposition of all petitions filed in accordance with 21 U.S.C. § 853(n), or, if no such petitions are filed, following the expiration of the period for the filing of such petitions, the United States shall have clear title to the subject property.

7. That the Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

ORDERED this 11th day of May, 2023.



HONORABLE MICHAEL H. WATSON
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

KENNETH L. PARKER
United States Attorney

s/Jessica W. Knight
JESSICA W. KNIGHT (0086615)
Assistant United States Attorney